



Entered on Docket
October 17, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Second Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Marlton Square (Second) Developers
Loan**

Hearing Date: September 30, 2011
Hearing Time: 9:30 a.m.

The Court having considered the "Second Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Marlton Square (Second) Developers Loan." ("Marlton Square (Second) Developers Loan") [DE 8805] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on

1 **Exhibit A** does not affect the direct lenders' right to repayment by the borrower or from
2 the collateral securing the Marlton Square (Second) Developers Loan; and good cause
3 appearing:

4 **IT IS ORDERED** that:

- 5 1. The Objection [DE 8805] is sustained; and
- 6 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
7 claims are based upon an investment in the Marlton Square (Second) Developers Loan.

8
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**

11
12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust Marlton Square 2nd Loan Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Marlton Square 2nd Loan
10725-00153	8/14/2006	APG Trust Dated 7/5/00	C/O Alex G Gassiot Ttee 3710 Clover Way Reno, NV 89509	250,260.00	50,000.00
10725-00204	8/17/2006	APG Trust Dtd 7/5/00	C/O Alex G Gassiot Ttee 3710 Clover Way Reno, NV 89509	121,281.04	61,997.96
10725-02397	1/16/2007	Banos, William A & Angel J	7431 Dorie Dr West Hills, CA 91307-5277	564,000.00	25,000.00
10726-00067	1/12/2007	Doucet, D. Joseph	Trustee Of Doucet Trust 6124 Greenbrook Drive Reno, NV 89511-8528	502,335.71	Unknown
10725-02405	1/17/2007	Dunbar RLT DTD 11/21/98	Donald C & Wanda Dunbar Ttees 20282 Bordeaux Drive Reno, NV 89511	1,459,731.24	300,000.00
10725-01884	1/8/2007	Fallon, Thomas	Usaid Thailand APO AP 96546	216,214.60	28,650.98
10725-01971	1/10/2007	Goode, James Paul	92-1500 Makakilo Drive Kapolei, HI 96707	1,417,522.98	50,000.00
10725-00154	8/14/2006	Joan B Gassiot Trust 1987 Dtd 8/7/87	Joan B Gassiot 4050 Bitter Creek Ct Reno, NV 89509-0609	152,000.00	50,000.00
10725-02174	1/12/2007	Lawrence H & Lorraine K Tengan Revocable Trust	Lawrence H & Lorraine K Tengan 504 Edgefield Ridge PL Henderson, NV 89012-4543	506,524.90	61,897.17
10725-02383	1/16/2007	Minter Family 1994 Trust	Douglas & Elizabeth F Minter Ttees 5389 Conte Dr Carson City, NV 89701	1,244,089.74	25,000.00
10725-02121	1/11/2007	Olga O'Buch Trust Dtd 5/28/98	Olga O'Buch Ttee 140 Gazelle Rd Reno, NV 89511	507,403.52	25,000.00

EXHIBIT A